

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

DOUGLAS HODGE,

Defendant.

Criminal No. 19-10080-NMG

**DECLARATION OF JOAN MCPHEE IN
SUPPORT OF DOUGLAS HODGE’S MOTION PURSUANT TO
28 U.S.C. § 2255 TO SET ASIDE HIS PLEA, IN PART, AND FOR
RE-SENTENCING ON THE REMAINING COUNT OF CONVICTION**

I, Joan McPhee, declare as follows:

1. I am a member of the Massachusetts bar, and I am a partner at Ropes & Gray LLP.

I am counsel of record for Defendant Douglas Hodge in the above-captioned case. I submit this declaration in support of Mr. Hodge’s Motion Pursuant to 28 U.S.C. § 2255 to Set Aside His Plea, in Part, and for Re-Sentencing on the Remaining Count of Conviction.

2. On October 11, 2019, during a call with Assistant U.S. Attorney Eric Rosen, Mr. Rosen stated that, if Mr. Hodge did not plead guilty to the charges in the then-operative indictment, he would be charged in a superseding indictment, coming “very, very soon,” with federal program bribery under 18 U.S.C. § 666—a charge that, Mr. Rosen reported, U.S. Attorney Andrew Lelling “wants.”

3. Attached hereto as **Exhibit A** is a true and correct copy of a note from William “Rick” Singer’s iPhone memorializing his interactions with FBI agents on October 2, 2018, which was produced to Mr. Hodge on February 26, 2020.

4. Attached hereto as **Exhibit B** is a true and correct copy of a letter from the

government to Mr. Hodge's counsel dated January 24, 2020.

5. Attached hereto as **Exhibit C** is a true and correct copy of a FD-1023 report of an interview with Singer on November 1, 2018, which was produced to Mr. Hodge on March 9, 2020.

6. Attached hereto as **Exhibit D** is a true and correct copy of a FD-1023 report of an interview with Singer on December 12, 2018, which was produced to Mr. Hodge on March 9, 2020.

7. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the transcript of defendant Jeffrey Bizzack's sentencing hearing before Judge Woodlock in *United States v. Bizzack*, No 19-10222-DPW on October 30, 2019.

8. Attached hereto as **Exhibit F** is a true and correct copy of a FD-1023 report of an interview with Singer on September 26, 2018, which was produced to Mr. Hodge on March 9, 2020.

9. Attached hereto as **Exhibit G** is a true and correct copy of a FD-1023 report of an interview with Singer on September 21, 2018, which was produced to Mr. Hodge on March 9, 2020.

10. Attached hereto as **Exhibit H** is a true and correct copy of a FD-302 report of an interview with Laura Janke on March 25, 2019, which was produced to Mr. Hodge on March 9, 2020.

11. Attached hereto as **Exhibit I** is a true and correct copy of an excerpt from a transcript of a video presentation by Singer in or around June 2018, which was produced to Mr. Hodge on April 1, 2020.

12. Attached hereto as **Exhibit J** is a true and correct copy of a FD-302 report of an interview with Stephen Lopes on January 24, 2019, which was produced to Mr. Hodge on March

9, 2020.

13. Attached hereto as **Exhibit K** is a true and correct copy of a FD-302 report of an interview with Ali Khosroshahin on June 28, 2019, which was produced to Mr. Hodge on March 9, 2020.

Pursuant to 28 U.S.C. § 1746, I, Joan McPhee, certify under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of May 2020 in the Commonwealth of Massachusetts.


Joan McPhee